



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/883,386	06/19/2001	Son H. Lam	219.40057X00	1333

7590

05/14/2004

Schwegman, Lundberg, Woessner & Kluth P.A.
c/o Anne Richards
1600 TCF Tower
121 S. 8th Street
Minneapolis, MN 55402

EXAMINER

ELAMIN, ABDELMONIEM I

ART UNIT

PAPER NUMBER

2116

DATE MAILED: 05/14/2004

7

Please find below and/or attached an Office communication concerning this application or proceeding.

5

Office Action Summary

Application No.

09/883,386

Applicant(s)

LAM, SON H.

Examiner

A Elamin

Art Unit

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 19 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-16 are rejected under 35 U.S.C. 102(e) as being anticipated by Morrison, US.

Pat. No. 6,601,165.

3. Claims 1, 6, 11-12 and 14-15, Morrison teaches a multiprocessor system for fault resilient booting [*title, abstract*], comprising;

a plurality of processors [*processors 102-103 of Fig. 2*] with one processor being denominated a bootstrap processor [*abstract*];

a control unit for generating a series of control signals [*Controller 106 of Fig. 2*];

a timer [*Timer 201 of Fig 2*];

a latch for turning said bootstrap processor off [*abstract, col. 1, line 44 thru col. 2, line 15*];

said timer providing a signal indicating that a predetermined time has expired, which is applied to said latch to set said latch [*Step 422 of Fig. 4, abstract, col. 1, line 44 thru col. 2, line 15*];

said control unit providing s first signal applied to said latch, a second signal applied to said latch for resetting said latch, a third signal for controlling other processors and a fourth signal for resetting the timer [*abstract, Fig. 2, col. 1, line 44 thru col. 2, line 15, col. 3, line 56 thru col. 4, line 43*].

4. Claims 2 and 7, Morrison teaches utilizing a timer [*Timer 201 of Fig 2*].
5. Claim 3, Morrison teaches the failure in the second or third testing step also causes said latch to be set [*col. 1, line 44 thru col. 2, line 15*].
6. Claim 4, Morrison teaches the testing steps are controlled by a control unit [*Controller 106 of Fig. 2*].
7. Claims 5 and 10, Morrison teaches the control unit includes the system I/O chip [*col. 3, line 60 thru col. 4, line 6*].
8. Claim 8, Morrison teaches said timer begins a time period wherein power is turned on and ends said time period after a predetermined time [*col. 7, lines 51-55*].
9. Claim 9, Morrison teaches the bootstrap processor is considered to fail if said timer is not reset before reaching said predetermined time [*col. 7, lines 26-55*].

Art Unit: 2116

10. Claim 13, Morrison teaches said first signal from said control unit is generated when said bootstrap processor fails a power -on self-test or a built-in self-test [*col. 7, lines 56-65*].


11. Claim 16, Morrison teaches said control unit causes another processor to become the bootstrap processor when said bootstrap processor is disabled by said latch [*abstract, col. 1, line 44 thru col. 2, line 15*].

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to A Elamin whose telephone number is (703)305-3804. The examiner can normally be reached on MON-FRI 9:30 AM - 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne can be reached on (703) 308-1159. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


A. ELAMIN
PRIMARY EXAMINER

A Elamin
Primary Examiner
Art Unit 2116

May 12, 2004